

## **COUNCIL WORK MINUTES**

**April 15, 2015,**

The City Council held a meeting on Wednesday, April 15, 2015, at 5:30 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

**MEMBERS PRESENT:** Mayor Maile Wilson; Councilmembers: Ron Adams; John Black; Paul Cozzens; Don Marchant; Fred Rowley.

**STAFF PRESENT:** City Manager Rick Holman; City Attorney Paul Bittmenn; City Engineer Kit Wareham; City Recorder, Renon Savage; Finance Director Jason Norris; Police Chief Robert D. Allinson; Fire Chief Mike Phillips; Public Works Director Ryan Marshall; Aquatic Facility Manager Chris Hudson; HR Specialist Natasha Hirschi; Airport Manager Jeremy Valgardson; Project Engineer Jonathan Stathis.

**OTHERS PRESENT:** Tom Jett, Pastor Nancy Pearson, Jessica Sury, Brittany Pierce, Brady Bettridge, Ridge Middleton, Susan Tyner, Triston Loveland, Caelen Willaims, Ron Larsen, Whitney Brown, Brooklyn Brown, Miranda Komarek, Alyssa Olsen, Jace Wilkerson, Keith Naylor, Ryan Lopez, Ellen Zaifrejad, Mary Zaifrejad, Jeff Lowe, Neal Forbes, Shane , Doug Hall.

**CALL TO ORDER:** Pastor Nancy Pearson from Community Presbyterian Church gave the opening prayer; the pledge of allegiance was led by Councilmember Marchant.

**AGENDA ORDER APPROVAL:** Councilmember Marchant moved to approve the agenda order; second by Councilmember Adams; vote unanimous.

### **ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF**

**COMMENTS:** ■Marchant – we had a tragedy in our area a few nights ago. We appreciate those that respond to those incidents. Our Fire Department came through as always, we want to express appreciation to you and your men for the training. A fatal fire is always difficult and I hope the Firemen are dealing with the issues appropriately. We commend you. ■Chief Mike Phillips – thank you for the support, text and emails from the Council and Mayor. Personnel were impressed with the Mayor coming doing to see them. We are doing debriefing, Chief Allinson sent Lt. Adams down to help. The Life Safety week is next week; we have 500 kids that will visit the fire station. We invite you to also come and see, this has brought juvenile fires down to .5% from 18%. ■Jeremy Valgardson – We have entered a contract with GDA. We have a grant application for the FAA to start the master plan project. It looks over several aspects of the airport infrastructure for growth. We will put the application in, if approved the FAA will fund 95%. We will come back if approved for the 5% match.

**PUBLIC COMMENTS:** ■Neal Forbes – I come today bringing concerns about one of our jewels, the Aquatic Center. I understand we are operating without a manager right now, and probably have been since the end of the year. I have some elevator concerns about maintenance, safety and public health and looking to see if there is anyone on the

council is willing to work with me. I do know Chris the Pool Manager. Mayor – Chris is over the pool, lifeguards, etc. The Leisure Service Director was the supervisor above Chris, Parks, Cemetery, etc. Neal – I have been working with Chris for a number of months on the issues, the problem appears to be with the Maintenance Supervisor who is not under Chris, I believe he is under Rick Holman. I would like to reiterate that this is something that Chris and I have not been able to solve. Mayor – I would be happy to meet with you and Rick. Rick – schedule an appointment and we will meet with you here or at the pool.

**CONSIDER VICINITY PLAN APPROVAL FOR TALON POINT SUBDIVISION, PHASES 1-4 – RON LARSON/PAUL BITTMENN:**

Ron – this plan was previously approved, and phase 1 is built. In planning future phases we have found a lot of rock. The original road Hawk Drive we could not get deep enough. We propose to modify to allow the storm drain and sewer to come out without running into a lot of rock. The numbers of lots are the same. Some were R-1 and some were R-2, and we need to change the zone to follow the lot lines. Rick – how shallow is the rock? Ron – on the hill it is 8 feet but we need to be 12 feet for the sewer. It would have also cut the road down. We dug holes on several spots. Rick – does it prevent any homes from having basements? Ron – no, the sewer will still be 9 feet deep. It just makes the design better. Marchant – it will only change the roadway, but not the number of lots? Ron – correct, only the zoning along the lot lines. Mayor – does it change the lot sizes? Ron – no, the minimum is 7,000 for R-2, they are all 8,000 or more. Some of the R-1 lots were changed to R-2, and some of the R-2 changed to R-1. There will be more R-1 lots with this change. Adams – is the subdivision going to make that aware, if they dig basements? Ron – yes. If we can't put the sewer deep enough for a basement it will be noted on the subdivision. We just couldn't go deep enough for the road. Adams – I just think people should be aware if they want to build a basement. Kit – on lots for insufficient sewer depths it is noted on the plat, but that is not the case. Ron – the owner can get a copy of the soils report. Kit – you don't have to do much more than drive around to see that there is lava in that area. Consent.

**PUBLIC HEARING TO CONSIDER A ZONE CHANGE TO RESIDENTIAL-1 ON APPROXIMATELY 7.04 ACRES OF LANE AND A ZONE CHANGE TO RESIDENTIAL-2 (SINGLE FAMILY) ON APPROXIMATELY 11.11 ACRES OF LAND LOCATED IN THE VICINITY OF 2800 WEST 2300 SOUTH (TALON POINT SUBDIVISION) – RON LARSON/PAUL BITTMENN:**

Ron – the acreages called out, we did new boundaries for R-1 and R-2 to make sure there are not any gaps. Rowley – this accommodates the changes you talked about on the previous item. Ron – yes. This basically splits the R-1 and R-2 down the back property line instead of on the road.

Mayor Wilson opened the public hearing. Tom Jett – it is a beautiful location. There have been many people that have purchased properties and found issues with the soils such as rocks and it becomes very expensive. Anything we can do to advise the public on the title report that people should be aware and knowledgeable. The City Building and Engineering Departments do that. But if we can give people notice it is better. Marchant

– who determines the zone? Rick – the master plan is followed. Ron – when the master plan for Eagle Ridge at South Mountain. Kit – also it generally conforms to the General Plan, we first look at that when we get a request. The hearing closed. Action

**PUBLIC HEARING TO CONSIDER AN ORDINANCE REPEALING THE PORTION OF THE CITY'S ZONING ORDINANCE REGULATING PLANNED UNIT DEVELOPMENTS – PAUL BITTMENN:**

Kit – when we went through the subdivision ordinance one of the changes was to move the PUD ordinance out of the zoning ordinance and put it in the subdivision ordinance. This repeals it out of the zoning ordinance. Mayor Wilson opened the public hearing. There were no comments, the hearing closed. Action

**CONSIDER MEDICAL, DENTAL AND VISION INSURANCE PROPOSALS – NATASHA HIRSCHI:**

Natasha – we requested proposals for the 2015-16 year for insurance, PEHP, Select Health, Educators, Etna and Delta Dental. We did receive an increase from all that bid on the insurance. The amounts are based on 136 employees, but that could change depending on if people are family or individual. PEHP went up 4.5%. If we change the dental the employee will have a \$50 deductible and it will change from a \$2,000 maximum per year that we have now, we could reduce the maximum allowed to \$1,500, making the increase 3.7%. Rowley – was this because of increased activity by the employees or because the way the health industry is going. Natasha – our utilization is down, but before we changed last year from Select Health there was an increase. Our utilization looks good. With the affordable care act and trends it is changing. It is not that we had a bad year. Marchant – what has been the performance with PEHP, are employees satisfied. Are we getting what we want from PEHP? Natasha – it depends on who you ask. We held employee meetings to let people know, some before we went out to bid. A few wanted to change, but we are so new a lot of employees don't know. There are so many changes with the Affordable Care Act that we don't really know. Some of the prescription changes are from the Affordable Care Act. There were things I liked better with Select Health and some are better with PEHP. Marchant – do we get individual attention from PEHP if there are questions? Natasha – I have only had a few complaints, so I think they are addressing the issues. We have resolved some employee issues and found they were not PEHP but doctor issues. Marchant – you do a great job, it is a big task. With the insurance industry changing the way it is, you are doing the best with what you have. Mayor – Natasha pointed out to me that by the time we get the employees set up to know what the insurance has, if we change it would be entire new plan and new cards, etc. If there haven't been major problems, it is convenient to continue with a carrier with the health and medical records an insurance provider has and Natasha would not have to do everything over. Marchant – there is a level of comfort. Black – on the dental from going to the other, what is the premium if we stay? Natasha – the savings is about \$13,000 a year. The plan with PEHP is richer than the plan we had with Select Health, the plan we would switch to is similar to what we had with Select Health. Mayor – have you had any concerns from employees with the dental? Natasha – some asked if it is worth changing for \$13,000, the question was addressed.

Jessica Sury – an employee's wife, I have 4 children. I had a child that needed treatment that was denied and were told they would not cover the treatment until there was permanent damage. I would think you would want a health care provider that is more preventative. Marchant – prevention is the best approach. Jessica – it was discouraging. Natasha – her husband has talked with me about the issue, but I didn't know it had not been resolved. Black – I would like a follow up. Rowley – it doesn't matter what company they do things just beyond prevention, they all do some things. Action.

**CONSIDER AN ORDINANCE CHANGE TO CHAPTER 35 (TRAFFIC AND TRAVEL ON STREETS), ADDING A NEW SPEED ZONE WITH A MAXIMUM SPEED OF 45 MPH ON WEST VIEW DRIVE FROM SR-56 TO 30 NORTH – KIT**

**WAREHAM:** Kit – we have had a few complaints on this street, there is one sign southbound that is 40 MPH, no other signs. The 40 MPH sign is not an approved zone, all speed limits above 25 MPH has been approved. We did a speed study and the 45 MPH was the average speed. I originally put in the packets to cut it off at 30 North, but I was out there looking at things and we are entering a residential area, but the ordinance does not disallow that. By having this little section 45 MPH and if it is not posted it reverts to 25 MPH, I thought we would bring it down to the city limit line. Both turns have a warning sign one for 15 MPH and one for 30 MPH. I would like to recommend having the zone 45 MPH from U-56 to 900 South. Marchant – how do you do a speed study? Kit – it is the same as how they do the traffic count, it will determine the speed as well. Speed counts always surprise me on the number of cars that travel the road. Rowley – when we make the proposal we need to modify it from 30 North to 900 South? Kit – yes, we will modify that on the agenda for next week. Action.

**LETTERS OF SUPPORT FOR SOUTHWEST WILDLIFE FOUNDATION & NORDIC SKI EXPERIENCE EVENT:**

Susan Tyner – Instead of just a restroom we are running power from the fence. We are calling it an information destination, 2 unisex ADA restrooms and in the center all utilities and room for maintenance tools and educational tools for the partners with the schools. A portion would be closed off, the University and Schools would have keys as well as SW Wildlife Foundation. We plan to have panels around the building for interpretive and educational material. The trail itself is ADA accessible. We are including parking and a trail paved for handicapped parking, the rest will remain unpaved. We are applying to the Federal Recreational Trail Programs money and they can give a grant up to 50% of what we are asking. We don't have a budget yet, it should be less expensive because we are putting in smaller restrooms. From what Chris Hallar said, he is the Administrator of State Trail Grants, he said the most important thing is to have a letter from the City stating they support the grant, they don't have to give any money. Mayor – who will be responsible for maintenance and stocking the restrooms? Susan – we are having hand dryers. For now it would be volunteers. I will be applying for grants for park director and have money to take over writing grants. Until then it is all volunteer. North Elementary will do some maintenance. Marchant – Sara Penny has a list of grants available, you may want to contact her to see if she has any that would apply. Susan – the hardest part is to get bids on the project and have a proper budget and time frame. Once we finish that we can submit the same basic grant to several groups. We will have water, heat and electricity

to the restrooms. Rowley – a lot of people get to the end of the trail and find they need a restroom. I hope that RAP Tax will also look at this. I see it as a win/win for the city to have a facility on that end. It is also something else to advertise to the tourists. Susan – we would like to put a sign on the highway to have this is a rest stop. Mayor – I have no problem writing a letter if you get me specifics. Susan - Recreational Trail Program, RAP Tax, the County, Eccles Foundation, Rocky Mountain Power are some we are going to. We can't spend money until it is approved and then spend the money and get reimbursed. Rowley – you need an electronic eye beam so you can see how many people actually come. Susan - we will put quality electronic hand dryers instead of paper towels. Cozzens – what about power? Susan – there is power on the City property and it will come through the bridge conduit. We will also get water to the facility.

Nordic Ski Experience – Mayor – Byron had looked at the agenda and was surprised because he works with this event. This and the event he is working with are not the same, this is an independent club that wants a similar letter of support, I didn't see a problem in that. They are looking to get a ski trail groomed for cross country skiing and snow shoeing. It is for a trail system for them. Black – there is an individual that works at the Golf Course that grooms the area, and he said it is fabulous. Adams – my neighbor emailed me and I wrote a letter from me individually. I called Byron, but he never called me back. Mayor – this club promotes Cedar Mountain and Cedar Breaks and will not compete with Byron's events. I don't see a problem with supporting this type of event. Adams – it would enhance the area and Byron could market more in this area.

#### **REVIEW INTERLOCAL AGREEMENT ON USE OF THE AQUATIC CENTER**

**– RICK HOLMAN:** Rowley – we have learned because of the price differential between our Aquatic Center and the Washington City that some of the teachers and schools are busing students to Washington City. We asked Chris to see if we could accommodate the Iron County students at a rate that would not cost us. The current contract because the school district gave \$1 million and \$125,000 a year for maintenance, it allows swim teams and disabled to swim, all other \$3. I think we should at least match Washington City rates and we could set up the snack bar/concessions. The \$125,000 plus a year for maintenance, if you divide that by \$3 it would pay for 139 kids at the pool every day for 6 days a week. They are already contributing. I am an employee of the School District, but I also like kids and would like to see them use the pool. Cozzens – what would it cost the District to do that? Marchant – it should have an impact just that they are going to Washington County. We have a big problem with PR and we need to bend to make it work. Rick – the Agreement is one thing, but Chris has put together proposals.

Chris Hudson – as I talked with the Washington County Community Center, I asked what he did. There were a few things they do; they charge a minimum rate for the cost of the lifeguard, a minimum of \$80. They have not had a group larger than 130, they have not done a flat rate. He talked about amenities and they rent those at the regular rate. I have a few options were to match, option A is 1 ½ hour time slots it worked the best and they charge the minimum and maximum rate. If we limit it to 1 ½ hours the minimum would be about \$74 and after 75 kids \$1 per kid. We also put the standard rate to rent the pool

of \$300, but that is for 2 hours. Black – how many kids and lifeguards? Chris 75 kids 4 lifeguards. We would have to add 2 lifeguards for the slide so it would add \$25. We could make a standard rate to include the slide. As we get above 75 we would add more lifeguards. Black – is the \$1 per kid after the \$75 enough to cover the cost for additional lifeguards. We need 1 guard for 25-50 kids. Mayor – in the past when the schools have tried to reserve what is the time frame? Chris – all over the board 1 hour to 3 hours. Last year we had a group from Antimony had 18 kids and were here for 3 hours and paid \$2 each. We have had groups of 300 for 2-2 ½ hours. The problem is scheduling and they all seem to come the last few weeks of school because that is when they can get a bus. Black – are they exclusive times for them? Yes. Cozzens – what do you do for the public at that time? Chris – we are typically closed at that time. Cozzens – what about people that complain that they reserved and lost their reservation? Chris – I am not aware of any this year, we did last year and we took care of that. Liz does the scheduling. There is one group that lost their booking, they found out our price and wanted to go to Washington County and then they couldn't get a bus so they called and wanted to come and we couldn't accommodate them because we didn't have guards. Rowley – I think we could actually make some money on this. Chris – I agree. As long as we are consistent and cap the time limit. We are trying to accommodate a large number of people.

Rick – we will bring back a resolution to give Chris some flexibility and address group rates and go from there.

**ADJOURN:** Councilmember Rowley moved to adjourn at 6:50 p.m.; second by Councilmember Marchant; vote unanimous.

  
Renon Savage, MMC  
City Recorder